IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4364 of 2007()

CRA.20/2004 of II ADDL.SESSIONS COURT, KOLLAM
CC.356/2001 of CHIEF JUDICIAL MAGISTRATE COURT, KOLLAM

.....

REVN. PETITIONER:

K.V. MURALEEDHARAN NAIR, S/O. VASUDEVAN NAIR,
PULIMOOTTIL HOUSE, CONTONMENT SOUTH, KOLLAM.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

---

1. PRADEEP KUMAR, S/O. REGHUNATHAN, PRATHIBHA BHAVAN, ASRAMAM, KOLLAM.

2. STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.C.R.SIVAKUMAR
SRI. P. RAVEENDRA BABU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

==========

Crl.R.P. No. 4364 of 2007

==========

Dated this the 5th day of December, 2007

ORDER

The accused in C.C.No.356 of 2001 on the file of the Chief Judicial Magistrate, Kollam for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12908 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The revision petitioner shall be released from prison forthwith unless his continued detention is found necessary in connection with any other case against him.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

rv

V. RAMKUMAR, J.

==========

Crl.R.P. No.

==========

Dated this the day of October, 2007

ORDER

The accused in C.C. / ST. No.....on th**e file** of the J.F.C.M, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the

lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR, JUDGE

rv